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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,252	11/16/2001	Mohamed Khalil	P1020 (13918RRUS01U)	5357

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EXAMINER

SOL, ANTHONY M

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/992,252		KHALIL ET AL.	
	Examiner		Art Unit	
	Anthony Sol		2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-16 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Applicants' Amendment filed 12/16/2005 is acknowledged.
- Claims 1-20 remain pending.
- Claims 1-9, 16, 17 and 20 have been amended.
- The previous objections to claims 8 and 9 are withdrawn.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a non-functional subject matter, therefore not a useful machine. For example, in claim 1, "a node **connectable** to a home network" signifies that the node can be **not connected**, therefore non-functional. All the instances of the word "connectable" should be replaced with -- connected -- or other suitable word(s) for claims 1-8.

3. Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 17 is directed to "an information packet **transmission**," which is not a method, system, device or apparatus.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, "a plurality of associated link-layer **addresses**," is claimed within a node. Since claim 1 is a system claim, the node must be comprised of components of the node system. However, **addresses** are fields, not a component of the system. In other words, **addresses** are not components of the system.

In claim 1, line 6, "said node being connectable" is not a component of the system as explained in previous paragraph concerning **addresses**, and it is unclear what is meant by, "said node being connectable a foreign network." Furthermore, in light of the 101 rejection above concerning the word "**connectable**," the sentence should be revised to comprise a component of the system while replacing the word "**connectable**."

In claim 1, line 13, it recites the limitation "the sub-type." There is insufficient antecedent basis for this limitation in the claim.

Corrections are required.

Response to Arguments

6. Applicants' arguments, see pgs.10-12, filed 12/16/2005, with respect to the rejection(s) of claim(s) 1, 9, and 17 under 35 USC102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made for claims 1-8 and 17-20 in view of 35 USC 101 and 35 USC 112.

Allowable Subject Matter

7. Claims 9-16 are allowed.

8. The following is an examiner's statement of reasons for allowance:

- Regarding claim 9,

The prior art of record does not teach or fairly suggest a method of communicating a physical connectivity on a first communication network comprising the steps of connecting a mobile node identified using an address associated with a home network to said first communication network through said physical connectivity designated by a link-layer address extension to an address associated with the network of the physical connectivity; and transmitting a first information packet on said first communication network, wherein said first information packet can comprise a plurality of message types received at a plurality of nodes to update data table entries associated with said mobile node, and supporting a generalized extension containing said link-layer address, a sub-type data field identifier that specifies the link-layer addressing used on the first communication network, and a type data field designation

identifying the extension as a link-layer address extension containing the link-layer address for the physical connectivity of said mobile node to said first communication network used for routing information packets to said physical connectivity.

9. Claims 1-8 and 17-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C 101 and 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Sol whose telephone number is (571) 272-5949. The examiner can normally be reached on M-F 7:30am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Sol
Examiner
Art Unit 2662



JOHN PEZZLO
PRIMARY EXAMINER

2/22/2006